

EXPRESS MAIL NO.: ED 701 987 828 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                 |                                                                                 |                     |                                  |
|-----------------|---------------------------------------------------------------------------------|---------------------|----------------------------------|
| Application of: | Michael Hope and<br>Wendi Rodriguez                                             | Confirmation No.:   | 7809                             |
| Serial No.:     | 09/992,107                                                                      | Art Unit:           | 1615                             |
| Filed:          | November 5, 2001                                                                | Examiner:           | Gollamudi S. KISHORE             |
| For:            | LIPOSOME COMPOSITIONS<br>AND METHODS FOR THE<br>TREATMENT OF<br>ATHEROSCLEROSIS | Attorney Docket No: | 10173-072-999<br>(371855-999067) |

**TERMINAL DISCLAIMER**

MAIL STOP AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The University of British Columbia, having a place of business in Vancouver, Canada (hereinafter the "Assignee"), represents that it is the Assignee of the above-identified application and of U.S. Patent No. 6,139,871. The assignment of U.S. Patent No. 6,139,871, which is the grandparent of the above-identified patent application, was recorded on May 9, 1994 at Reel 6983, Frame 6983 (the Assignment was recorded in parent application Serial Number 08/206,415). Copy of the Assignment is attached to this Terminal Disclaimer. Also attached is a copy of the Statement under 37 CFR 3.73(b) for the immediate parent of the application Serial No. 09/992,107.

The Assignee hereby disclaims the terminal part of any patent granted on the present application which would extend beyond the expiration date of U.S. Patent No. 6,139,871.

The Assignee hereby agrees that the above-identified application shall be enforceable only for and during such period that the legal title to the corresponding patent shall be the same as the legal title to U.S. Patent No. 6,139,871, this agreement is to run with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

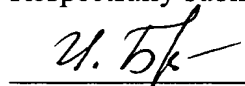
In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,139,871, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is empowered to act on behalf of and as a representative and petitioner of the Assignee in this matter.

Respectfully submitted,

Date: December 22, 2004

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